

UNITED STATES BANKRUPTCY COURT					VOLUNTARY PETITION					
Name of Debtor (if individual, enter Last, First, Middle): Michael E. Recca					Name of Joint Debtor (Spouse) (Last, First, Middle):					
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): None					All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):					
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): 2336					Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):					
Street Address of Debtor (No. and Street, City, and State): 949 Edgewood Avenue Pelham, New York <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE 10803</div>					Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>					
County of Residence or of the Principal Place of Business: Westchester					County of Residence or of the Principal Place of Business:					
Mailing Address of Debtor (if different from street address): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>					Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>					
Location of Principal Assets of Business Debtor (if different from street address above): <div style="text-align: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>										
Type of Debtor (Form of Organization) (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box.) <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or house- hold purpose." <input type="checkbox"/> Debts are primarily business debts.						
Filing Fee (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.					Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).					
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.										<div style="writing-mode: vertical-rl; transform: rotate(180deg);"> THIS SPACE IS FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 100px; text-align: center;"> FILED 2010 AUG - 9 U.S. BANKRUPTCY COURT </div> </div>
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000										
Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion										
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion										

Voluntary Petition

(This page must be completed and filed in every case.)

Name of Debtor(s):

Michael E. Recca

All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)

Location Where Filed: None	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.)

Name of Debtor: None	Case Number:	Date Filed:
District:	Relationship:	Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).


X  8/9/10
Signature of Attorney for Debtor(s) (Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No.**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.**Information Regarding the Debtor - Venue**

(Check any applicable box.)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)_____
(Name of landlord that obtained judgment)_____
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition

(This page must be completed and filed in every case.)

Name of Debtor(s):
Michael E. Recca**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X Michael E. Recca
Signature of DebtorX _____
Signature of Joint DebtorTelephone Number (if not represented by attorney) 917 846 1917Date 8/9/2010**Signature of Attorney***X James C. McMahon
Signature of Attorney for Debtor(s)Printed Name of Attorney for Debtor(s) JAMES C. MCMAHONFirm Name LAW OFFICES OF JAMES C. MCMAHON345 W. 45th St.NEW YORK, NY 10036Address 917. 592. 4779Telephone Number 8/9/10

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.X _____
(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

MICHAEL E. RECCA

LIST OF CREDITORS:

<u>Name</u>	<u>Address</u>	<u>Nature of Claim</u>	<u>Contingent or other</u>	<u>Amount of Claim</u>
Everhome Mortgage	8100 Nations Way Jacksonville, Florida 32256	Mortgage	No	\$ 820,000
Internal Revenue Service	Hutchinson Metro Center 1200 Waters Place - suite 108 Bronx, NY 10461-1310 Att'n R. Ross 718-536-3500	Government	No	\$ 300,000
Robert Valenti	122 Brixton Road Garden City, NY 11530	Personal Loan	No	\$ 108,000
NYS Tax	90 South Ridge Street Rye Brook, NY 10573-2800 Att'n J. Monahan 914.233.2334	Government	No	\$ 50,000
Bank of America	100 North Tryon Street Charlotte, North Carolina 2825	Credit line	No	\$ 53,000
Citibank (1)	To be supplied	Credit Card	No	\$ 18,000
Citibank (2)	To be supplied	Credit line	No	\$ 9,700
Discover Card	Discover Financial Services P.O. Box 30943 Salt Lake City, UT 84130-0943	Credit Card	No	\$ 11,000
Capital One	To be supplied	Credit Card	No	\$ 5,000
Home Depot (Citibank)	To be supplied	Credit Card	No	\$ 3,500
HSBC	To be supplied	Credit Line	No	\$ 5,000

UNITED STATES BANKRUPTCY COURT

In re Michael E. Recca
Debtor

Case No. _____

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address, including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed or subject to setoff	Amount of claim [if secured also state value of security]

Schedule
Attached.

Date:

8/10/2010


Debtor

[Declaration as in Form 2]

MICHAEL E. RECCA

LIST OF 20 LARGEST UNSECURED CREDITORS:

<u>Name</u>	<u>Address</u>	<u>Nature of Claim</u>	<u>Contingent or other</u>	<u>Amount of Claim</u>
Internal Revenue Service	Hutchinson Metro Center 1200 Waters Place - suite 108 Bronx, NY 10461-1310 Att'n R. Ross 718-536-3500	Government	No	\$ 300,000
Robert Valenti	122 Brixton Road Garden City, NY 11530	Personal Loan	No	\$ 108,000
NYS Tax	90 South Ridge Street Rye Brook, NY 10573-2800 Att'n J. Monahan 914.233.2334	Government	No	\$ 50,000
Bank of America	100 North Tryon Street Charlotte, North Carolina 2825	Credit line	No	\$ 53,000
Citibank (1)	To be supplied	Credit Card	No	\$ 18,000
Citibank (2)	To be supplied	Credit line	No	\$ 9,700
Discover Card	Discover Financial Services P.O. Box 30943 Salt Lake City, UT 84130-0943	Credit Card	No	\$ 11,000
Capital One	To be supplied	Credit Card	No	\$ 5,000
Home Depot (Citibank)	To be supplied	Credit Card	No	\$ 3,500
HSBC	To be supplied	Credit Line	No	\$ 5,000
American Express	To be supplied	Credit Card	No	\$ 300

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

In re
MICHAEL E. RECCA,
Debtor.
Chapter 11
Case No. 10-
_____X
:
:
X

**AFFIDAVIT OF MICHAEL E. RECCA
PURSUANT TO RULE 1007-2 OF THE LOCAL
BANKRUPTCY RULES FOR THE SOUTHERN DISTRICT OF
NEW YORK IN SUPPORT OF CHAPTER 11 PETITION**

STATE OF NEW YORK)

ss:

COUNTY OF WESTCHESTER)

Michael E. Recca, being duly sworn, deposes and says:

1. I am the Debtor in the above named proceeding.

2. I respectfully submit this Affidavit pursuant to Rule 1007-2 of the Local Bankruptcy Rules for the Southern District of New York (the "Local Rules"). Except as otherwise indicated, all facts set forth in this Affidavit are based upon my personal knowledge and my review of relevant documents.

The Debtor's Business

3. The debtor is an employee and also a consultant

Events Leading to the Chapter 11 Filing

4. The events leading to the Chapter 11 Filing was a significant reduction in income over the past several years

Objective of Chapter 11 Case

5. The objective of the Chapter 11 case is to restructure the mortgage, sell the underlying property in an orderly manner and discharge all other obligations in accordance with their terms.

Information Required by Local Rule 1007-2

6. In accordance with Local Rule 1007-2(a)(2), no case has previously been filed by or against the Debtor under Chapters 7, 11, 13, or any other provision of the Bankruptcy Code.

7. In accordance with Local Rule 1007-2(a)(3), no creditors' committee was organized before the Petition Date.

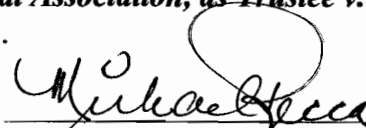
8. In accordance with Local Rules 1007-2(a)(4), Debtor has one (1) secured creditor and only approximately eleven (11) unsecured creditors

9. In accordance with Local Rules 1007-2(a)(6), the following is a summary of the Debtor's assets and liabilities. This information will be filed with the statement of financial affairs within 14 days of the filing.


10. In accordance with Local Rules 1007-2(a)(8), no property of the Debtor is in possession or custody of any custodian, public officer, receiver, trustee, assignee for the benefit of creditors, mortgagee, pledge, assignee of rents, secured creditor or any agent for any of the foregoing.

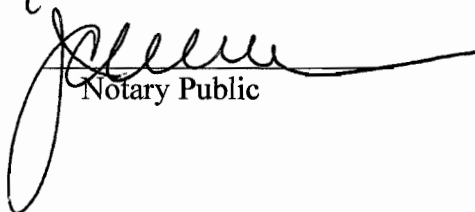
11. In accordance with Local Rules 1007-2(a)(9), the Debtor did not own, lease, or otherwise hold any arrangements for any premises from which its business was operated.

12. In accordance with Local Rules 1007-2(a)(11) no actions are currently pending against the Debtor except . ***US Bank National Association, as Trustee v. Michael E. Recca*** (Sup. Ct., Westch. Co., Index No. 01000/09).


Michael E. Recca

Sworn to before me this

 day of August, 2010.


Notary Public

James C. McMahon
Notary Public
State of New York
No. 02MC6003956
Qual. in Westchester Co.
Comm. Exp. March 16, 2014